

REMARKS/ARGUMENTS

In response to the Office Action dated June 9, 2004, claims 1-10 are amended. Claims 1-10 are now active in this application, claims 11-16 be withdrawn from further consideration as being drawn to a non-elected invention. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 101

Claims 1-10 are rejected under 35 U.S.C. §101, as being directed to non-statutory subject matter. The Examiner considers that claimed subject matter to be directed to non-functional descriptive material "since all of the means in the claims are for generating mere data or different forms of non-functional descriptive material and mathematical calculations."

While Applicant do not agree with the Examiner's assessment, to expedite prosecution, the claims are amended to more clearly recite statutory subject matter. Thus, amended independent claim 1 recites:

An image processor, comprising:
a memory for storing image data of an image; and
an image corrector for correcting lightness, saturation and hue of the image data stored in the memory, said image corrector including:
a contrast corrector for correcting a value of lightness to change contrast of the image; a maximum saturation determinator for determining maximum values of saturation for the values of the lightness before and after the correction of said contrast corrector; and
a saturation corrector for correcting a value of saturation in accordance with said maximum values of saturation determined by said maximum saturation determinator.

Amended independent claim 5 recites:

An image processing method for image correction, comprising:
reading image data of an image into a memory; and
performing correction of lightness, saturation and hue of said image data in the memory including carrying out the steps of:

- correcting a value of lightness to change contrast of the image;
- determining maximum values of saturation for the values of the lightness before and after the correction in said step of correcting a value of lightness; and
- correcting a value of saturation in accordance with said maximum values of saturation determined in said determining step.

Finally, amended independent claim 8 recites:

A computer program product comprising a computer usable medium, having encoded thereon a computer readable program for correcting lightness, saturation and hue of image data by performing the operations of:

- correcting a value of lightness to change contrast of an image;
- determining maximum values of saturation for the values of the lightness before and after the correction in said step of correcting a value of lightness; and
- correcting a value of saturation in accordance with said maximum values of saturation determined by said step of determining.

In view of the amendments to claims 1-10, withdrawal of the rejection of claims 1-10 under 35 U.S.C. §101, as being directed to non-statutory subject matter, is respectfully solicited. As there are no other rejection of claims 1-10, allowance of claims 1-10 is respectfully solicited also.

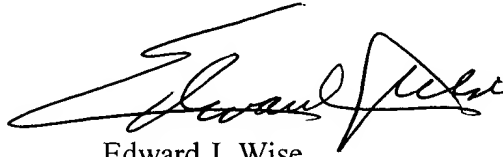
CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY

A handwritten signature in black ink, appearing to read 'Edward J. Wise', is written over a horizontal line.

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